

# House File 801 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 74)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the establishment of a searchable budget  
2 database website for the public to access the details of the  
3 expenditure of state tax revenues and a searchable tax rate  
4 database for the public to access the details of each tax rate  
5 for all taxing districts in the state.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 1732HV 83  
8 mg/sc/14

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1 1 Section 1. Section 8A.104, Code 2009, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 12A. BUDGET AND TAX RATE DATABASES.  
1 4 Develop and make available to the public a searchable budget  
1 5 database as required under chapter 8G, division I, and to  
1 6 develop and make available to the public a searchable tax rate  
1 7 database as required under chapter 8G, division II and to make  
1 8 both databases available on the same website.

1 9 DIVISION I  
1 10 SEARCHABLE BUDGET DATABASE FOR STATE SPENDING  
1 11 Sec. 2. NEW SECTION. 8G.1 INTENT == FINDINGS.  
1 12 The general assembly finds that taxpayers should be able to  
1 13 easily access the details on how the state is spending their  
1 14 tax dollars and the performance results achieved for those  
1 15 expenditures. Therefore, it is the intent of the general  
1 16 assembly to direct the department of administrative services  
1 17 to create and maintain a searchable budget database website  
1 18 detailing where tax dollars are expended, the purposes for  
1 19 which tax dollars are expended, the special interest tax  
1 20 credits allowed, and the results achieved for all taxpayer  
1 21 investments in state government.

1 22 Sec. 3. NEW SECTION. 8G.2 SHORT TITLE.  
1 23 This division shall be known as and may be cited as the  
1 24 "Openness Promotes Efficiency Now Act".

1 25 Sec. 4. NEW SECTION. 8G.3 DEFINITIONS.  
1 26 As used in this division, unless the context otherwise  
1 27 requires:

1 28 1. "Agency" means a state department, office, board,  
1 29 commission, bureau, division, institution, or public  
1 30 institution of higher education. "Agency" includes individual  
1 31 state agencies and programs, as well as those programs and  
1 32 activities that are administered by or involve more than one  
1 33 agency. "Agency" includes the judicial branch of government.  
1 34 "Agency" includes all elective offices in the executive branch  
1 35 of government and the general assembly.

2 1 2. "Director" means the director of the department of  
2 2 administrative services.

2 3 3. "Entity" or "recipients" means any of the following:  
2 4 a. A corporation.  
2 5 b. An association.  
2 6 c. An employee union.  
2 7 d. A limited liability company.  
2 8 e. A limited liability partnership.  
2 9 f. Any other legal business entity, including nonprofit  
2 10 entities.

2 11 g. A grant recipient.

2 12 h. Contractors.

2 13 i. A county, city, school district, or other local  
2 14 government entity.

2 15 "Entity" or "recipients" does not include an individual

2 16 recipient of state assistance.

2 17 4. "Funding action or expenditure" includes details on the  
2 18 type of spending that is provided including but not limited to  
2 19 grants, contracts, and appropriations. "Funding action or  
2 20 expenditure" includes tax exemptions or credits. Where  
2 21 possible, an electronic link to the actual grants or contracts  
2 22 shall be provided. An electronic link shall be in a format  
2 23 that is a searchable document.

2 24 5. "Searchable website" means a website described in  
2 25 section 8G.4 that allows the public at no cost to search and  
2 26 compile information identified in sections 8G.4 and 8G.12 and  
2 27 that is in a format capable of being downloaded.

2 28 6. "State audit or report" shall include any audit or  
2 29 report issued by the auditor of state.

2 30 Sec. 5. NEW SECTION. 8G.4 SEARCHABLE BUDGET DATABASE  
2 31 WEBSITE CREATED.

2 32 1. By January 1, 2011, the director shall develop and make  
2 33 publicly available a database website for searching,  
2 34 accessing, and processing data, including the data required in  
2 35 this section, for the most recent state budget. The state  
3 1 budget for the fiscal year beginning July 1, 2009, shall  
3 2 include the expenditure of funds received through the federal  
3 3 American Recovery and Reinvestment Act of 2009. The website  
3 4 shall be developed in such a way that the information can be  
3 5 provided to other software applications, including internet  
3 6 software applications, in a manner and format that allows such  
3 7 software applications to access and interpret the data using  
3 8 the internal programming of the software applications.

3 9 2. The searchable website developed pursuant to this  
3 10 section shall allow the public at no cost to search, compile,  
3 11 and download information for all of the following:

3 12 a. To the extent practicable and within the bounds of the  
3 13 confidentiality provisions, the identity of the entity or  
3 14 recipient of state expenditures.

3 15 b. Amount of annual revenues and expenditures for each  
3 16 agency's appropriations and funds.

3 17 c. Descriptive purpose for the funding or expenditure.

3 18 d. Performance results associated with the agency's  
3 19 activities.

3 20 e. Past performance results associated with the agency's  
3 21 activities.

3 22 f. State audits or reports relating to the entity or  
3 23 recipient of state funds, the budget program or activity, or  
3 24 agency.

3 25 g. Any other relevant information specified by the  
3 26 director.

3 27 3. In addition to the information to be provided pursuant  
3 28 to subsection 2, there shall be provided on the searchable  
3 29 website all of the following:

3 30 a. A listing and description of special interest tax  
3 31 credits claimed for the individual income tax, corporate  
3 32 income tax, franchise tax, and insurance premiums tax. A  
3 33 special interest tax credit is a tax credit for which fewer  
3 34 than twenty percent of the tax filers in the applicable tax  
3 35 category claim the tax credit. For each category of tax the  
4 1 website shall list each of the special interest tax credits  
4 2 applicable to it, the total amount of that tax credit claimed,  
4 3 and the number of taxpayers claiming the tax credit.

4 4 b. The estimated cost to the state of each of the twenty  
4 5 sales tax exemptions that account for the largest dollar  
4 6 amount share of sales tax exemptions under section 423.3. The  
4 7 cost of each exemption shall be listed by county and, in  
4 8 addition, stated as a per capita amount for each county. This  
4 9 paragraph does not apply to the tax exemptions pursuant to  
4 10 section 423.3, subsections 2, 31, 39, 58, 73, and 85.

4 11 4. If the funding source of the revenue expended is the  
4 12 grow Iowa values fund created pursuant to section 15G.108,  
4 13 then in addition to any information provided pursuant to  
4 14 subsections 2 and 3, there shall be provided on the searchable  
4 15 website all of the following:

4 16 a. For financial assistance provided during the fiscal  
4 17 year, a listing, per recipient, of the number of jobs pledged  
4 18 and the number of jobs actually created. The actual jobs  
4 19 created shall be adjusted throughout the year as new figures  
4 20 become available.

4 21 b. The total estimated cost to the state in addition to  
4 22 the amount of financial assistance awarded, including any  
4 23 administrative expenses of the agency or department  
4 24 administering the fund.

4 25 c. An allocation by state legislative district and county  
4 26 of the total amount of financial assistance awards and the

4 27 number of job creations associated with such awards during the  
4 28 fiscal year.

4 29 5. In providing data on tax exemptions or credits,  
4 30 confidentiality statutes of Iowa and federal law shall be  
4 31 adhered to.

4 32 6. The director shall provide a progress and  
4 33 implementation report to members of the senate and house  
4 34 committees on government oversight every ninety days with the  
4 35 first report due October 1, 2009.

5 1 Sec. 6. NEW SECTION. 8G.5 WEBSITE UPDATES.

5 2 1. Effective July 1, 2011, the searchable website shall be  
5 3 updated for each fiscal year not later than thirty days  
5 4 following the close of the fiscal year. During the fiscal  
5 5 year beginning July 1, 2011, and each subsequent fiscal year,  
5 6 the director shall make a preliminary report for the fiscal  
5 7 year on the searchable website within thirty days following  
5 8 each quarter. In addition, the director may update the  
5 9 searchable website as new data becomes available. All  
5 10 agencies shall provide to the director data that is required  
5 11 to be included in the searchable website not later than thirty  
5 12 days after the data becomes available to the agency. The  
5 13 director shall provide guidance to agency heads or the  
5 14 governing body of an agency to ensure compliance with this  
5 15 section.

5 16 2. By January 1, 2012, the director shall add data for the  
5 17 previous budgets to the searchable website. Data for previous  
5 18 fiscal years may be added as it becomes available and as time  
5 19 permits. The director shall ensure that all data added to the  
5 20 searchable website remain accessible to the public for a  
5 21 minimum of ten years.

5 22 Sec. 7. NEW SECTION. 8G.6 NONCOMPLIANCE.

5 23 The director shall not be considered in compliance with  
5 24 this division if the data required for the searchable website  
5 25 is not available in a searchable manner and capable of being  
5 26 compiled and downloaded or if the public is redirected to  
5 27 other government websites unless each of those sites has  
5 28 information from all agencies and each category of information  
5 29 required can be searched electronically by field in a single  
5 30 search.

5 31 Sec. 8. NEW SECTION. 8G.7 EXECUTIVE ORDER TO IMPLEMENT.

5 32 Nothing in this division shall be construed as preventing  
5 33 the governor from acting by executive order to implement any  
5 34 action authorized or required under this division.

#### 5 35 DIVISION II

##### 6 1 SEARCHABLE TAX RATE DATABASE

6 2 Sec. 9. NEW SECTION. 8G.10 INTENT == FINDINGS.

6 3 The general assembly finds that increasing the ease of  
6 4 public access to state and local tax rates, particularly when  
6 5 the rates are currently available from disparate government  
6 6 sources but are difficult for the public to collect and  
6 7 efficiently aggregate, significantly contributes to  
6 8 governmental accountability, public participation, and the  
6 9 understanding of the cost of government services. Therefore,  
6 10 it is the intent of the general assembly to direct the  
6 11 department of administrative services, in consultation with  
6 12 the department of revenue, to create and maintain a searchable  
6 13 database detailing each tax rate for all taxing districts in  
6 14 the state to make citizen access to information on state and  
6 15 local tax rates as open, transparent, and publicly accessible  
6 16 as is feasible.

6 17 Sec. 10. NEW SECTION. 8G.11 SHORT TITLE.

6 18 This division shall be known and cited as the "Government  
6 19 Accountability and Disclosure Act".

6 20 Sec. 11. NEW SECTION. 8G.12 TAX RATE DATABASE.

6 21 1. SEARCHABLE TAX RATE DATABASE. By January 1, 2010, the  
6 22 department of administrative services, in consultation with  
6 23 the department of revenue, shall make publicly available on  
6 24 the website created pursuant to section 8G.4 a searchable  
6 25 database of all tax rates in the state for each taxing  
6 26 jurisdiction. The information shall be aggregated by type of  
6 27 tax and accessible by entering a zip code or physical address  
6 28 for each residence or business. Individual tax levies shall  
6 29 be further specified within each tax rate.

6 30 2. GEOGRAPHICAL TAX RATE MAP. In addition to searching  
6 31 for tax rates by zip code or physical address for each  
6 32 residence or business, searches shall be accommodated by a  
6 33 geographical tax rate map of the state that is capable of  
6 34 being displayed with a level of specificity corresponding to  
6 35 each taxing district.

7 1 3. INDIVIDUAL TAX RATE CALCULATOR. Tax rate calculators

7 2 shall be provided on the searchable database to allow citizens

7 3 and businesses to calculate taxes based on the location of the  
7 4 citizen or business. Calculation capability shall be provided  
7 5 at a minimum for property, sales, use, income, vehicle, and  
7 6 business taxes and shall be specific to the rate for the  
7 7 taxing district identified by the citizen or business.

7 8 Sec. 12. NEW SECTION. 8G.13 UPDATING DATABASE.

7 9 To facilitate the department of administrative services'  
7 10 efforts in creating and maintaining a searchable database of  
7 11 the taxes identified in section 8G.12, subsection 3, for all  
7 12 taxing districts in the state, every taxing district shall  
7 13 annually report its tax rates, and any change to the rates, to  
7 14 the department of revenue. Within thirty days of receiving  
7 15 such information, the department shall report the tax rates,  
7 16 and any changes to the rates, to the department of  
7 17 administrative services.

7 18 Sec. 13. CODE EDITOR DIRECTIVE. Unless otherwise  
7 19 determined by the Iowa Code editor, sections 8G.1 through  
7 20 8G.7, as enacted in this Act, shall be designated as division  
7 21 I of chapter 8G, and sections 8G.10 through 8G.13, as enacted  
7 22 in this Act, shall be designated as division II of chapter 8G.

7 23 EXPLANATION

7 24 This bill enacts new Code chapter 8G which is divided into  
7 25 two separate divisions. Division I of the Code chapter  
7 26 requires the department of administrative services to develop  
7 27 and make available to the public by January 1, 2011, a single,  
7 28 searchable budget database website. For the fiscal year  
7 29 beginning July 1, 2009, the database would include  
7 30 expenditures of federal funds received under the American  
7 31 Recovery and Reinvestment Act of 2009. This website would  
7 32 allow the public at no cost to search, compile, and download  
7 33 an aggregated database that would provide, to the extent  
7 34 practicable, the identity of recipients of state funds, amount  
7 35 of annual revenues and expenditures for each agency's  
8 1 appropriations and funds, the descriptive purpose of the  
8 2 expenditure, performance results associated with the agency's  
8 3 activities and past performance results associated with such  
8 4 activities, state audits relating to the expenditures, and  
8 5 other relevant information. The division specifies that  
8 6 "recipient" does not include an individual recipient of state  
8 7 assistance.

8 8 The division also requires the searchable database to  
8 9 include a listing of special interest tax credits and the  
8 10 amount claimed under the individual and corporate income,  
8 11 franchise, and insurance premiums taxes. A listing of the  
8 12 costs of the 20 sales tax exemptions accounting for the  
8 13 largest dollar amount share of exemptions and a breakdown of  
8 14 these by county is required to be provided. Information on  
8 15 financial assistance awarded from the grow Iowa values fund is  
8 16 also to be provided, specifying the jobs pledged and the jobs  
8 17 created along with a breakdown of financial assistance awards  
8 18 and jobs created by state legislative district and county.

8 19 The director of the department of administrative services  
8 20 is required to provide a progress and implementation report to  
8 21 the committees on government oversight every 90 days with the  
8 22 first report due October 1, 2009.

8 23 The division provides that, effective July 1, 2011, the  
8 24 website is to be updated within 30 days of the end of each  
8 25 fiscal year. By January 1, 2012, data is to be added for  
8 26 previous fiscal years. Beginning with the fiscal year  
8 27 beginning July 1, 2011, the director is to make preliminary  
8 28 reports for the fiscal year following each quarter of the  
8 29 fiscal year. A provision is included that states that nothing  
8 30 in the division is to be construed to prevent the governor  
8 31 from acting by executive order to implement any action  
8 32 authorized or required under the division.

8 33 Division II of new Code chapter 8G requires the department  
8 34 of administrative services, in consultation with the  
8 35 department of revenue, by January 1, 2010, to develop and  
9 1 operate on the website a searchable database of all the tax  
9 2 rates in the state for each taxing district. The database  
9 3 shall include the capability to calculate tax rates for  
9 4 different taxing districts.

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